

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**CRAIG MORRIS,**

**Petitioner,**

**v.**

**Case No. 2:05-cv-903  
JUDGE FROST**

**CORRECTIONAL INSTITUTION,**

**Warden,**

**MAGISTRATE JUDGE KEMP**

**Respondent.**

**OPINION AND ORDER**

On October 13, 2005, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in United States District Courts recommending that this action be dismissed without prejudice as unexhausted. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
United States District Judge